

Federal Legislation Tracking
Cyberspace Law Committee of the Business Law Section
of the California State Bar
last updated: January 23, 2004

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Copyright	H.R. 1066 (Lofgren)	Benefit Authors without Limiting Advancement or Net Consumer Expectations (BALANCE) Act of 2003	To amend Title 17, U.S. Code, to safeguard the rights and expectations of consumers who lawfully obtain digital entertainment.	Referred to the Subcommittee on Courts, the Internet and Intellectual Property
Copyright	H.R. 2255 (Price)	To extend the suspension of certain payments to be made by noncommercial webcasters under sections 112 and 114 of title 17, United States Code, and for other purposes	To extend the suspension of certain payments to be made by noncommercial webcasters under Sections 112 and 114 of Title 17, U.S. Code, and for other purposes.	Referred to the Subcommittee on Courts, the Internet and Intellectual Property
Copyright	H.R. 2344 (Smith)	Intellectual Property Protection Restoration Act of 2003	To restore federal remedies for infringements of intellectual property by states, and for other purposes	Subcommittee Hearings Held
Copyright	H.R.2517 (Smith)	Privacy Deterrence and Education Act of 2003	To enhance criminal enforcement of the copyright laws, educate the public about the application of copyright law to the Internet, and clarify the authority to seize unauthorized copyrighted works.	Subcommittee Hearings Held.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Copyright	H.R.2601 (Lofgren)	Public Domain Enhancement Act	To amend Title 17, U.S. Code, to allow abandoned copyrighted works to enter the public domain after 50 years.	Referred to the Subcommittee on Courts, the Internet and Intellectual Property.
Copyright	H.R.2613 (Sabo)	Public Access to Science Act	To amend title 17, U.S. Code, to exclude from copyright protection works resulting from scientific research substantially funded by the Federal Government.	Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
Copyright	H.R.2752 (Conyers)	Author, Consumer, and Computer Owner Protection and Security (ACCOPS) Act of 2003.	To encourage the development and distribution of creative works by enhancing domestic and international enforcement of the copyright laws.	Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
Database Protection	H.R. 3261 (Coble)	Database and Collections of Information Misappropriation Act	To prohibit the misappropriation of certain databases	Ordered to be Reported (Amended) by the Yeas and Nays: 16 - 7.
Digital Information	S.692 (Wyden)	Digital Consumers Right to Know Act	To require the F.T.C. to issue rules regarding the disclosure of technological measures that restrict consumer flexibility to use and manipulate digital information and entertainment content.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Internet (Access)	H.R.267 (English)	Broadband Internet Access Act of 2003	To amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.	Referred to the House Committee on Ways and Means.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Internet (Access)	H.R.768 (English)	To amend the Internal Revenue Code of 1986 to provide a broadband Internet access tax credit.	To amend the Internal Revenue Code of 1986 to provide a broadband Internet access tax credit.	Referred to the House Committee on Ways and Means.
Internet (Access)	S.905 (Rockefeller)	To amend the Internal Revenue Code of 1986 to provide a broadband Internet access tax credit.	To amend the Internal Revenue Code of 1986 to provide a broadband Internet access tax credit.	Read twice and referred to the Committee on Finance.
Internet (Access)	H.R.769 (English)	To amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.	To amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.	Referred to the House Committee on Ways and Means.
Internet (Access)	S.160 (Burns)	To amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.	To amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.	Read twice and referred to the Committee on Finance.
Internet (Censorship)	H.R.48 (Cox)	Global Internet Freedom Act	To develop and deploy technologies to defeat Internet jamming and censorship.	Referred to the House Committee on International Relations.
Internet (Access)	S.AMDT.593 to S.1054 (Burns)	Jobs and Growth Tax Relief Reconciliation Act of 2003	To amend the Internal Revenue Code of 1986 to allow the expensing of broadband Internet access expenditures.	Amendment SA 593 agreed to in Senate by Unanimous Consent.
Internet (Censorship)	S.1183 (Kyl)	Global Internet Freedom Act of 2003	To develop and deploy technologies to defeat Internet jamming and censorship.	Read twice and referred to the Committee on Foreign Relations.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Internet (Domain Name)	H.R.939 (Pence)	Truth in Domain Names Act	To amend title 18, US Code, to punish persons who use false or misleading domain names to attract children to Internet sites not appropriate for children.	Referred to the Subcommittee on Crime, Terrorism and Homeland Security.
Internet (Domain Name)	H.AMDT.18 to H.R.1104 (Pence)	Child Abduction Prevention Act	To make it a criminal act to knowingly use a misleading domain name with the intent to deceive a person into viewing obscenity on the Internet or knowingly deceive a minor into viewing material on the Internet that is harmful to minors.	On agreeing to the Pence amendment (A001) Agreed to by voice vote.
Internet (Domain Name)	S.800 (Hatch)	Truth in Domain Names Act of 2003	To prevent the use of a misleading domain name with the intent to deceive a person into viewing obscenity on the Internet.	Read twice and referred to the Committee on the Judiciary.
Internet (Games)	H.R.131 (Kilpatrick)	Consumer Protection for On-Line Games Act	To prevent fraud and deception in network recreational games.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
Internet (Jurisdiction)	H.R.945 (Stearns)	Jurisdictional Certainty Over Digital Commerce Act	To exercise authority under Article I, section 8, clause 3 of the U.S. Constitution to clearly establish jurisdictional boundaries over, and to foster stability and certainty over the treatment of, the commercial transactions of digital goods and services conducted through the Internet.	Referred to the Subcommittee on Telecommunications and the Internet.
Internet (Tax)	H.R.49 (Cox)	Internet Tax Nondiscrimination Act	To permanently extend the moratorium enacted by the Internet Tax Freedom Act.	Read the second time. Placed on Senate Legislative Calendar Under General Orders. Calendar No. 283.
Internet (Tax)	H.R.1481 (Lofgren)	Internet Growth and Freedom Act of 2003	To extend the moratorium enacted by the Internet Tax Freedom Act.	Referred to the Subcommittee on Commercial and Administrative Law.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Internet (Tax)	H.R. 3184 (Istook)	Streamlined Sales and Use Tax Act	To promote simplification and fairness in the administration and collection of sales and use taxes	Referred to the Subcommittee on Commercial and Administrative Law.
Internet (Tax)	S.52 (Wyden)	Internet Tax Nondiscrimination Act	To permanently extend the moratorium enacted by the Internet Tax Freedom Act.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Internet (Tax)	S.150 (Allen)	Internet Tax Nondiscrimination Act of 2003	To permanently extend the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.	Returned to the Calendar when the motion to proceed to H.R. 2861 was agreed to. Calendar No. 353.
Internet (Tax)	S. 1736 (Enzi)	Streamlined Sales and Use Tax Act	To promote simplification and fairness in the administration and collection of sales and use taxes	Read twice and referred to the Committee on Finance
Privacy (Consumer)	H.R.1636 (Stearns)	Consumer Privacy Protection Act of 2003	To protect and enhance consumer privacy.	Referred to Subcommittee on Commerce, Trade and Consumer Protection.
Privacy (Consumer)	H.R.2617 (Shadegg)	Consumer Identity and Information Security Act of 2003	To protect American consumers from identity theft and other forms of fraud.	Referred to the Subcommittee on Financial Institutions and Consumer Credit.
Privacy (Financial)	H.R.818 (Kleczka)	Identity Theft Consumer Notification Act	To amend the Gramm-Leach-Bliley Act to further protect customers of financial institutions whose identities are stolen from the financial institution.	Referred to the Subcommittee on Financial Institutions and Consumer Credit.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Privacy (Financial)	H.R.1766 (Tiberi)	National Uniform Privacy Standards Act of 2003	To make permanent the provisions of the Fair Credit Reporting Act and amend the Gramm-Leach-Bliley Act to establish a national uniform privacy standard for financial institutions.	Referred to the Subcommittee on Financial Institutions and Consumer Credit.
Privacy (Financial)	H.R.2035 (Hooley)	Identity Theft and Financial Privacy Protection Act of 2003	To prevent identity theft.	Referred to the Subcommittee on Financial Institutions and Consumer Credit.
Privacy (Financial)	H.R.2633 (Emmanuel)	Identity Theft Protection and Information Blackout Act of 2003	To establish methods for preventing identity theft and to amend the Fair Credit Reporting Act to protect consumers' sensitive, private health-related information.	Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
Privacy (Financial)	H.R.3233 (Gutierrez)	Identity Theft Notification and Credit Restoration Act of 2003	To require financial institutions and financial service providers to notify customers of the unauthorized use of personal information, to amend the Fair Credit Reporting Act to require fraud alerts to be included in consumer credit files in such cases, and to provide customers with enhanced access to credit reports in such cases.	Referred to the Subcommittee on Financial Institutions and Consumer Credit.
Privacy (Financial)	S.223 (Feinstein)	Identity Theft Prevention Act	To prevent identity theft.	Read twice and referred to the Committee on Banking, Housing and Urban Affairs

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Privacy (Financial)	S.1458 (Nelson)	Financial Institution Privacy Protection Act of 2003	To amend the Gramm-Leach-Bliley Act to provide for enhanced protection of nonpublic personal information, including health information.	Read twice and referred to the Committee on Banking, Housing and Urban Affairs.
Privacy (Financial)	S.1633 (Corzine)	Identity Theft Notification and Credit Restoration Act of 2003	To require financial institutions and financial services providers to notify customers of the unauthorized use of personal information, to amend the Fair Credit Reporting Act to require fraud alerts to be included in consumer credit files in such cases, and to provide customers with enhanced access to credit reports in such cases.	Read twice and referred to the Committee on Banking, Housing and Urban Affairs.
Privacy (General)	S.1350 (Feinstein)	Notification of Risk to Personal Data Act	To require Federal agencies and persons engaged in interstate commerce, in possession of electronic data containing personal information, to disclose any unauthorized acquisition of such information.	Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security. Hearings held.
Privacy (General)	S.745 (Feinstein)	Privacy Act of 2003	To require the consent of an individual prior to the sale and marketing of such individual's personally identifiable information.	Read twice and referred to the Committee on the Judiciary.
Privacy (Internet)	H.R.69 (Frelinghuysen)	Online Privacy Protection Act of 2003	To require the F.T.C. to prescribe regulations to protect the privacy of personal information collected from and about individuals who are not covered by C.O.P.P.A on the Internet, to provide greater individual control over the collection and use of that information.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
Privacy (Internet)	H.R.70 (Frelinghuysen)	Social Security On-line Privacy Protection Act	To regulate the use by interactive computer services of Social Security account numbers and related personally identifiable information.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.

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Privacy (Internet)	H.R.2929 (Bono)	Safeguard Against Privacy Invasions Act	To protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
Privacy (SSN)	H.R.1931 (Kleczka)	Personal Information Privacy Act of 2003	To protect the privacy of the individual with respect to the Social Security number and other personal information.	Referred to the Subcommittee on Financial Institutions and Consumer Credit, for a period to be subsequently determined by the Chairman.
Software (peer-to-peer)	H.R.2885 (Pitts)	Protecting Children From Peer-to-Peer Pornography Act of 2003	To prohibit the distribution of peer-to-peer file trading software in interstate commerce.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
Unfair Competition	H.R.107 (Boucher)	Digital Media Consumers' Rights Act of 2003	To amend the F.T.C. Act to provide that the advertising or sale of a mislabeled copy-protected music disc is an unfair method of competition and an unfair and deceptive act or practice.	Referred to the Subcommittee on Courts, the Internet and Intellectual Property.
Unsolicited Commercial Electronic Mail	H.R.122 (Holt)	Wireless Telephone Spam Protection Act	To amend section 227 of the Communications Act of 1934 to prohibit the use of the text, graphic, or image messaging systems of wireless telephone systems to transmit unsolicited commercial messages.	Referred to the Subcommittee on Telecommunications and the Internet.
Unsolicited Commercial Electronic Mail	H.R.1933 (Lofgren)	REDUCE Spam Act of 2003	To reduce unsolicited commercial Unsolicited Commercial Electronic Mail and to protect children from sexually oriented advertisements.	Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
Unsolicited Commercial Electronic Mail	H.R.2214 (Burr)	Reduction in Distribution of Spam Act of 2003	To prevent unsolicited commercial Unsolicited Commercial Electronic Mail.	Subcommittee Hearings Held.

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Unsolicited Commercial Electronic Mail	H.R.2515 (Wilson)	Anti-Spam Act of 2003	To prevent unsolicited commercial Unsolicited Commercial Electronic Mail.	Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
Unsolicited Commercial Electronic Mail	S.877 (Burns)	CAN-SPAM Act of 2003	To regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial Unsolicited Commercial Electronic Mail via the Internet.	Became Public Law No: 108-187.
Unsolicited Commercial Electronic Mail	S.1052 (Nelson)	Ban on Deceptive Unsolicited Bulk Electronic Mail Act of 2003	To ensure that recipients of unsolicited bulk commercial Unsolicited Commercial Electronic Mail can identify the sender of such Unsolicited Commercial Electronic Mail.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Unsolicited Commercial Electronic Mail	S.1231 (Schumer)	SPAM Act	To eliminate the burdens and costs associated with Unsolicited Commercial Electronic Mail spam by prohibiting the transmission of all unsolicited commercial Unsolicited Commercial Electronic Mail to persons who place their Unsolicited Commercial Electronic Mail addresses on a national No-Spam Registry, and to prevent fraud and deception in commercial Unsolicited Commercial Electronic Mail by imposing requirements on the content of all commercial Unsolicited Commercial Electronic Mail messages.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Unsolicited Commercial Electronic Mail	S.1293 (Hatch)	Criminal Spam Act of 2003	To criminalize the sending of predatory and abusive e-mail.	Senator Hatch from Committee on the Judiciary filed written report, Report No. 108-170.
Unsolicited Commercial Electronic Mail	S.1327 (Corzine)	REDUCE Spam Act of 2003	To reduce unsolicited commercial Unsolicited Commercial Electronic Mail and to protect children from sexually oriented advertisements.	Read twice and referred to the Committee on Commerce, Science and Transportation.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Wireless	H.R.340 (Issa)	Jumpstart Broadband Act	To require the F.C.C. to allocate additional spectrum for unlicensed use by wireless broadband devices.	Referred to the Subcommittee on Telecommunications and the Internet.
Wireless	H.R.363 (Honda)	Jumpstart Broadband Act	To require the F.C.C. to allocate additional spectrum for unlicensed use by wireless broadband devices.	Referred to the Subcommittee on Telecommunications and the Internet.
Wireless	H.R.1320 (Upton)	Commercial Spectrum Enhancement Act	To amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users.	Placed on Senate Legislative Calendar under General Orders. Calendar No. 314.
Wireless	S.159 (Boxer)	Jumpstart Broadband Act	To require the F.C.C. to allocate additional spectrum for unlicensed use by wireless broadband devices.	Read twice and referred to the Committee on Commerce, Science and Transportation.

TOPIC	BILL NO. (SPONSOR)	BILL NAME	SUMMARY	STATUS
Wireless	H.R.2025 (Weiner)	Subway Cell Access Act	To require providers of wireless telephone services to provide access to the universal emergency telephone number in subterranean subway locations located within there area of coverage.	Referred to the Subcommittee on Telecommunications and the Internet.
Wireless	S.1973 (DeWine)	Wireless 411 Privacy Act	To amend the Communications Act of 1934 to protect the privacy rights of subscribers to wireless communications services.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Wireless	H.R.3558 (Pitts)	Wireless 411 Privacy Act	To amend the Communications Act of 1934 to protect the privacy rights of subscribers to wireless communications services.	Referred to the Subcommittee on Telecommunications and the Internet.
Wireless	S.1963 (Specter)	Wireless 411 Privacy Act	To amend the Communications Act of 1934 to protect the privacy rights of subscribers to wireless communications services.	Read twice and referred to the Committee on Commerce, Science and Transportation.
Wireless	H.R.71 (Frelinghuysen)	Wireless Privacy Protection Act of 2003	To require customer consent to the provision of wireless call location information.	Referred to the Subcommittee on Telecommunications and the Internet.
Wireless	S.1216 (Schumer)	Cell Phone Users Bill of Rights	To improve wireless telephone service and for other purposes.	Read twice and referred to the Committee on Commerce, Science and Transportation.

OTHER ACTIONS/HEARINGS:

ACTION	COMMITTEE/SUBCOMMITTEE	TOPIC/TITLE	SUMMARY	STATUS
Hearing	Senator Judiciary Committee	“Pornography, Technology and Process: Problems and Solutions on Peer-to-Peer Networks”	First panel discussed proliferation of child pornography on P2P networks. Second panel discussed the DMCA subpoena process	Hearing held September 9, 2003. No legislation introduced.
Hearing	House Government Reform Committee	“You've Got Mail -- But is it Secure? An Examination of Internet Vulnerabilities Affecting Businesses, Governments and Homes”	Part of Committee’s efforts to educate businesses about cybersecurity	Hearing held October 16, 2003. No legislation introduced.